

IN THE DRAWINGS

Please insert new FIGS. 5-6 as attached after FIGS. 1-4 in the application.

REMARKS

The present amendment is responsive to the Office Action dated September 5, 2007. Claims 1 and 9 have been amended, claims 7 and 8 have been deleted, and claim 21 has been added. New FIGS. 5-6 have also been added. No new matter has been introduced by the amendments, new claim or new figures. Claims 1-6, 9-13 and 21 are presented for the Examiner's consideration in view of the following remarks. A petition for a one (1) month extension of time is submitted herewith.

As an initial matter, the Office Action objected to the drawings, asserting that the memory of the content providing apparatus is not shown in the figures. As indicated above, new FIG. 5 has been added that illustrates the memory, as well as a content providing unit and an identifying unit of the content providing apparatus. New FIG. 6 has also been added to illustrate a notifying unit of the relay apparatus.

Support for the new figures may be found in the specification as filed, by way of example only, at pages 9-14 and in the original claims as filed. Replacement paragraphs are presented herewith to make express reference to new FIGS. 5 and 6. In view of the above, applicant respectfully requests that the objection to the drawings be withdrawn.

Turning to the rejections, the Office Action has rejected claims 1-3 and 7-12 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,370,394 ("Anttila") in view of U.S. Patent Publication No. 2004/0043770 ("Amit"). Applicant respectfully traverses the rejection.

As noted above, independent claims 1 and 9 have been amended. Specifically, claim 1 has been amended to remove the communication means and to clarify features of the relay apparatus and the content providing apparatus. Claim 9 has been

amended to remove the telephone communication network and the computer network.

Applicant respectfully submits that neither *Anttila* nor *Amit*, either alone or in combination, teaches or otherwise suggests a memory for storing a variety of statuses of a multifunction mobile telephone by a unique ID code and for storing the progress of current game playing. Neither do the asserted references teach or suggest a unit that is operable to identify an information terminal to which the content is provided based on the ID code notified by a relay apparatus.

The Office Action admits that:

Anttila fails to teach wherein the memory of the content providing apparatus is for storing a variety of statuses of the multifunction mobile telephone by the unique ID code and for storing progress of current game playing, so that if a game is suspended during operation, the game may be resumed at a point of suspension by re-accessing the memory of the content providing apparatus.

(Office Action, p.4, numbered section 4.a.)

The Office Action relies on *Amit* in an attempt to overcome the admitted deficiencies of *Anttila*, stating that *Amit* "teaches wherein board games, can be stopped by the user, saved and resumed at a later [date], after being restored (See page 13, paragraph [0199])." (Office Action, p.4, numbered section 4.a.)

Paragraph 0199 of *Amit* merely states "Some applications, such as board games, can be stopped by the user or users, saved, and resumed at a later date, after being restored."

Critically, the Office Action fails to show how *Amit* discloses or otherwise suggests "storing a variety of statuses of the multifunction mobile telephone by the unique ID code", one of the admitted deficiencies of *Anttila*. Even more importantly, it must be noted that *Amit* appears to be the

national stage application of PCT Application No. PCT/IL01/00623, filed July 8, 2001. According to the first paragraph of *Amit*, it claims the benefit of Provisional Patent Application No. 60/217,218 ("the '218 provisional application"), which was filed on July 10, 2000.

Applicant notes that the instant application claims priority back to Japanese parent application JP2000-388810, filed on December 21, 2000. This fact was noted in the Request for Reconsideration filed on June 18, 2007.

In order for *Amit* to be used as a reference, the '218 provisional application must support the statement found in paragraph 0199 of *Amit*. Careful review of the '218 provisional application has failed to find a statement supporting the assertions of *Amit's* paragraph 0199. Thus, the earliest date supporting paragraph 0199 appears to be July 8, 2001, which is more than six months after the priority date for the instant application. Therefore, applicant submits that *Amit* is not usable as a reference for the purpose cited in the Office Action due to lack of support in the '218 provisional application.

Furthermore, as noted above, the asserted references neither teach nor suggest a unit that is operable to identify an information terminal to which the content is provided based on the ID code notified by a relay apparatus. This is important, because as stated in the specification:

In response to the ID code, the content providing apparatus 4 identifies the multi-function mobile telephone 2 to which the video game software program is delivered. The content providing apparatus 4 then saves the progress of game playing if a game is suspended in the middle thereof. When the user resumes game playing later, the progress of the game playing is sent to the multi-function mobile telephone 2. When the user suspends game playing on the multi-function mobile telephone as a game playing machine in the middle thereof, the user easily resumes game playing from the point of suspension by reaccessing the content providing apparatus 4.

(Specification, p.10, 11.13-20, emphasis added.)

For at least the above reasons, the rejection of independent claims 1 and 9 should be withdrawn.

Claims 2-3 and 10-12 depend from independent claims 1 and 9, respectively, and contain all the limitations thereof. For at least this reason, applicant submits that subject dependent claims are likewise in condition for allowance.

Claim 4 has been rejected under 35 U.S.C. § 103(a) as being obvious over *Anttila* in view of *Amit* and further in view of U.S. Patent Publication No. 2005/0021863 ("*Jungck*"). Claim 5 has been rejected under 35 U.S.C. § 103(a) as being obvious over *Anttila* in view of *Amit* and further in view of U.S. Patent Publication No. 2005/0193209 ("*Saunders*"). Claim 6 has been rejected under 35 U.S.C. § 103(a) as being obvious over *Anttila* in view of *Amit* and further in view of U.S. Patent No. 6,148,253 ("*Taguchi*"). And claim 13 has been rejected under 35 U.S.C. § 103(a) as being obvious over *Anttila* in view of *Amit* and further in view of U.S. Patent Publication No. 2001/0025275 ("*Tanaka*"). Applicant respectfully traverses these rejections.

Claims 4, 5, 6 and 13 depend from independent claims 1 and 9, respectively, and contain all the limitations thereof. For at least this reason, applicant submits that subject dependent claims are likewise in condition for allowance.

New independent claim 21 is a method claim that has features similar to those of independent claim 1, and is patentable for at least the reasons presented above.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-

Application No.: 10/027,561


Docket No.: SCEI 3.0-109

5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

Andrew T. Zidel
Registration No.: 45,256
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

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